

**PATENT APPLICATION**

**FOR  
SPILL-PROOF CANDY CONTAINER**

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## SPILL-PROOF CANDY CONTAINER

This application is a continuation in part of co-pending application serial number 09/287,798 filed April 7, 1999, which was a continuation in part of co-pending application serial number 09/021,617 filed February 10, 1998 and since issued June 1, 1999 as US #5,908,057, which was a continuation of co-pending application serial number 08/608,854 filed February 29, 1996 and since issued November 10, 1998 as US #5,832,969, which was a continuation-in-part of co-pending application serial number 08/086,541 filed July 1, 1993 and since issued March 5, 1996 as US #5,495,876, which was a continuation-in-part of co-pending application serial number 07/828,345 filed January 30, 1992 and since issued September 21, 1993 as US #5,246,046 and reissued March 9, 1999 as US #RE36,131. The benefit of the filing date of this earlier filed application is claimed under 35 U.S.C. § 120.

### BACKGROUND OF THE INVENTION

The present invention relates to containerized particulate candy and more especially to particulate candy combined with a solid form candy in a spill-resistant container. The invention has particular application for ease of use by young children in consuming particulate candy without the normal mess and spills typically associated with the consumption of such candy by children.

It is known that spill-resistant containers have existed for some time and are commercially available in many embodiments. Samples of such spill-resistant containers are found in Applicant's co-pending application and other applications by Applicant which have matured into U.S. patents. Furthermore, included in the previously known group of spill-resistant containers, is the non-spill container disclosed in US patent 5,105,975, as well as the no-spill bowl and no-spill mug intended for drinks and soups and the like and manufactured by Little Kids, Inc. These references were disclosed in applications from which this application continues. In the candy industry, it is also known to provide a lollipop with a holder connected to the lollipop handle wherein such holder is of a generally pliable material and is in the form of a recognizable object such as a cartoon character. An example of such lollipop holder is found in US patent 6,090,420 by Coleman et. al. It is also known that containers of particulate candy,

such as flavored powder candy, in combination with a hard candy such as a lollipop type candy have existed. Samples of such containerized candy combinations are found in US patent 5,370,884 by Coleman, and US patent 5,993,870 by Hoeting et. al. and in commercial products such as "Fun Dip" by Nestle USA, Inc., and in "Crazy Dips" by Chupa Chups USA. Some such combination particulate candy containers and lollipops have been designed to take on the shape of amusing recognizable shapes such as the "Bottle Pop" by The Topps Company and the "Lollipop Paint Shop" by Impact Confections, Inc. However, the prior art has failed to provide a spill-resistant container of particulate candy with or without a lollipop type hard candy and more especially, the prior art has failed to produce an easy to use spill-resistant candy container. The spillage of particulate candy can be a significant problem, as is attested to by the cautionary label of the "Lollipop Paint Shop" candy which reads: "If spill occurs on carpet do not wet the powder. For dry spill vacuum completely. If stain still appears or is wet do the following: Saturate the stain in vinegar. Use a professional steam cleaner vacuum to extract the solution. Continue to soak and extract with the vinegar until the dye is completely removed. Rinse with water and extract. If the stain still remains it is recommended to call a professional carpet cleaner. Do not use soap or any over the counter solutions on the powder".

Of the many references cited above, only the Hoeting patent attempts to overcome the problems of mess and spill associated with consuming particulate candy alone or in combination with a lollipop type candy. In referring to the Coleman patent, Hoeting states, "To use the device of U.S. Pat. No. 5,370,884, the user must employ both hands to unscrew the cap and must dip the sucker into the powder reservoir. This device requires a level of dexterity and coordination often lacking in children, can result in spillage and is difficult to use in a manner which will provide uniform coating.". Hoeting continues, "It is therefore an object of the present invention to provide a device for both cleanly storing a confectionery product having a handle and for coating such a product with a granulated or particulate material in a generally uniform manner, all while minimizing spillage.". While the Hoeting device may provide for some resistance to spillage while the container is closed, there is no access to the candy when the container is in the closed position. Worse yet, the Hoeting device also requires two-handed use or a level of dexterity and coordination often lacking in children in order to open and close the device. In opening the Hoeting device, which the user must do to access the candy of the Hoeting device, the user must unsnap the top container member from the bottom container member. This unsnapping action

can cause the container to be jarred or shaken when the top is opened causing the particulate candy to readily spill out of the container. Furthermore, it is inherent in the process of coating the sucker of the Hoeting device to invert the container. If the user, typically a child, does not properly reorient the container in the upright position before opening the device, the container's contents are readily spilled. Also, if the container is not snapped tightly closed and then is bumped, dropped or tipped over, the container may again readily spill its contents. Additionally, as the lollipop of the Hoeting device is intended to stay within the container while the lollipop is consumed, the container of the Hoeting device can be an obstruction for the user in accessing the lollipop.

It is therefore an object of the present invention to provide an easy to use spill-resistant container and clean storing receptacle for both edible particulate matter and for lollipop type confections.

### **SUMMARY OF THE INVENTION**

The present invention relates to a spill-resistant self-contained container of an edible particulate matter combined with a lollipop type hard candy which is removably contained within the container. The invention has particular application for ease of use by young children in consuming particulate candy combined with hard candy without the normal mess and spills typically associated with the consumption of such candy by children.

In the preferred embodiment of the present invention, the container assembly comprises a lower container member, an upper container member having an inwardly projecting funnel, a lollipop, a combination holder and plug, and a quantity of particulate candy. The lower container member is mounted to the upper container member to form a spill-resistant container containing the particulate candy. The holder is press fit to a substantially tightly rolled paper stick handle of the lollipop and the lollipop is removably positioned within the container.

### **DESCRIPTION OF DRAWINGS**

The objects and many attendant advantages of this invention will be readily appreciated and become readily apparent as the same becomes better understood by reference to the following detailed description, when considered in conjunction with the accompanying drawings

and in which like reference numerals designate like parts throughout the figures thereof and wherein:

**Figure 1** is an isometric view of the assembled preferred embodiment with the front quarter section of the lower and upper container members shown cut-away.

**Figure 2** is an exploded isometric view of the preferred embodiment again shown with the front quarter section of the lower and upper container members shown cut-away.

**Figure 3A** is an orthographic section view of the container assembly taken substantially through the center of the container assembly as shown by the view indication arrows associated with the number 3 in figure 1 except that the lollipop, including the handle, are shown as a regular orthographic view (i.e. uncut). The particulate material is shown located in the bottom of the container assembly.

**Figure 3B** is a view of figure 3A rotated 90 degrees clockwise. The particulate material is shown located in a side of the container assembly illustrating the spill-proof nature of the invention.

**Figure 3C** is a view of figure 3A rotated 180 degrees clockwise. The particulate material is shown located in the top of the container assembly illustrating the spill-proof nature of the invention.

#### **DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT**

In order to facilitate the understanding of the present invention in reviewing the drawings accompanying the specification, a feature list is provided below. It is noted that like features are like numbered throughout all of the figures.

**FEATURE TABLE**

#	Feature	#	Feature
10	Container assembly in general	38	Funnel upper opening
20	Lower container member in general	40	Lollipop in general
22	Lower container member engagement flange	42	Lollipop hard candy
24	Lower container member lower surface	44	Lollipop handle
26	Container in general	50	Lollipop holder/plug in general

30	Upper container member in general	52	Lollipop holder/plug lower surface
32	Upper container member lower engagement flange	54	Lollipop holder/plug connecting flange
33	Upper container member upper surface	56	Lollipop holder/plug mounting hole
34	Upper container member upper engagement flange	58	Lollipop holder/plug mounting hole step
36	Upper container member funnel	60	Edible particulate matter
37	Funnel lower opening		

Referring now to the drawings, and especially figures 1 and 2, the invention is an improved container assembly 10 that comprises a lower container member 20, an upper container member 30, a lollipop 40, a holder/plug 50, and edible particulate matter 60. Lower container member 20 defines a preferably transparent substantially hollow semi-hemispherical shape and includes a lower surface 24 defining a flat on which container assembly 10 may rest and a connecting flange 22. Upper container member 30 defines a preferably transparent substantially hollow semi-hemispherical shape and includes a lower connecting flange 32, an upper surface 33, an upper connecting flange 34, a funnel 36, a funnel lower opening 37, and a funnel upper opening 38. Lollipop 40 defines a substantially spherical shaped substantially hard candy 42 mounted to a handle 44. Handle 44 preferably defines a substantially tightly rolled paper stick handle. Combination holder/plug 50 defines a substantially pliable holder/plug having a lower surface 52, a connecting flange 54, mounting hole 56, and a mounting hole step 58. Edible particulate matter 60 defines a free flowing edible particulate matter such as flavored candy powder, candy beads, or any other particulate type edible material.

Lower container member 20 is connected to upper container member 30 by placing connecting flanges 22 and 32 into snappingly locking engagement thus forming spill-resistant container 26 which provides access to the inner contents of the container 26 by virtue of funnel 36 and funnel openings 37 and 38. Lower container member 20 and upper container member 30 may also be joined together by any other suitable means such as by bonding or by threading or container 26 may be formed as a single integral member. Particulate matter 60 is placed within container 26. Lollipop 40 is press fit to holder/plug 50 by placing handle 44 into press fit engagement to mounting hole 56. Holder/plug 50, with lollipop 40 pressed into holder/plug 50

and lollipop 40 passing through funnel 36, is pressed into sealing engagement with upper container member 30 by means of bringing connecting flanges 54 and 34 into snappingly locking engagement. In preparation for shipping and sale, assembly 10 is preferably shrink wrapped.

In practice, with particulate matter 60 contained within container 26, lollipop 40 is wetted, such as by the user placing the lollipop in the user's mouth, and then while holding on to holder/plug 50, lollipop 40 is inserted into container 26 by moving lollipop 40 through funnel 36 openings 37 and 38. Wetted lollipop 40 is then merely brought into contact with particulate matter 60 or with holder/plug connecting flange 54 in sealing engagement with upper container member upper connecting flange 34, container assembly 10 is shaken to cause lollipop candy 42 to become coated with edible particulate matter 60.

It is noted that mounting hole step 58 is provided so as to enable the user to mount holder/plug 50 to a pencil or like object and may be used as an eraser after using holder/plug 50 with assembly 10. Furthermore, it is noted that mounting hole 56 is preferably of such a length as to allow for position adjustment of handle 44 in holder/plug 50. It is also noted that container 26 and holder/plug may take on a number of amusing and recognizable shapes. For instance, container 26 may take the form of a jack-o-lantern with holder/plug 50 taking the shape of either a jack-o-lantern lid with a stem shaped handle or a black cat. Container 26 may further take on the shape of a cauldron with holder/plug 50 taking on the shape of a witch. Container 26 may further take on the shape of an Easter egg with holder/plug 50 taking on the shape of a bunny or chick. Container 26 may further take on the shape of a fingernail polish bottle with holder/plug 50 taking on the shape of a brush handle and candy 42 taking on the shape of fingernail polish bristles. A great many other amusing recognizable shapes are also possible.

In addition to the above description, applicant notes that the following US patents are expressly incorporated herein by reference and are considered part of this specification: 6,090,420, 5,993,870 and 5,370,884.

While there is shown and described herein certain specific structure embodying the invention, it will be manifest to those skilled in the art that various modifications and rearrangements of the parts may be made without departing from the spirit and scope of the underlying inventive concept. The subject invention is not limited to the particular forms herein shown and described except insofar as indicated by the scope of the appended claims.